

By: Blake

S.B. No. 1518

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Anderson County Underground Water Conservation District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT. Subject to approval at an election required by Section 11 of this Act, the Anderson County Underground Water Conservation District is created under the authority of Article XVI, Section 59, of the Texas Constitution.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

(2) the district will be a benefit to the land contained within the boundaries of the district;

(3) there is a public necessity for the district; and

(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the area contained within the following described area:

5/27/87

5/14/87  
5/15/87

1 BEGINNING at the intersection of the center line of U. S. <sup>1</sup>/<sub>2</sub>  
2 Highway No. 287 with the center line of State Highway No. 19.

3 THENCE in a Northwesterly direction following the center line  
4 of U. S. Highway No. 287 to the intersection of the center line of  
5 F. M. Road No. 321.

6 THENCE in a Northeasterly direction following the center line  
7 of F. M. Road No. 321 to the intersection of the center line of  
8 State Highway No. 19.

9 THENCE in an Easterly direction continuing with the center  
10 line of F. M. Road No. 321 to the intersection of the center line  
11 of F. M. Road No. 315.

12 THENCE in a Southerly direction following the center line of  
13 F. M. Road No. 315 to the intersection of the North line of the  
14 Taylor S. Barnes Survey, A - 6, and the South line of the Peter  
15 Hinds Survey, A - 368.

16 THENCE in a Westerly direction with the South line of the  
17 Peter Hinds Survey, A - 368, the North line of the Taylor S. Barnes  
18 Survey, A - 6, to the Southwest corner of the Peter Hinds Survey,  
19 A - 368, and the Northwest corner of the Taylor S. Barnes Survey,  
20 A - 6, in the East line of the William Kimbro Survey, A - 34.

21 THENCE in a Southerly direction with the East line of the  
22 William Kimbro Survey, A - 34, and the West line of the Taylor S.  
23 Barnes Survey, A - 6, to the Southeast corner of the North half of  
24 the William Kimbro Survey, A - 34, as partitioned in Volume E, page  
25 525 of the Deed Records of Anderson County, Texas.

26 THENCE in a Westerly direction with the division line of the  
27 William Kimbro Survey, A - 34, to the Southwest corner of said <sup>2</sup>/<sub>3</sub>

1 North half in the West line of the William Kimbro Survey, A - 34,  
2 and the East line of the George Hanks Survey, A - 369.

3 THENCE in a Southerly direction with the East line of the  
4 George Hanks Survey, A - 369, and the West line of the William  
5 Kimbro Survey, A - 34, to the center line of State Highway No. 19.

6 THENCE in a Southeasterly direction following the center line  
7 of State Highway No. 19 to the place of beginning.

8 SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL  
9 POWERS AND DUTIES. Except to the extent of any conflict with this  
10 Act or as specifically limited by this Act, the district is  
11 governed by and subject to Chapter 52, Water Code, and has all the  
12 powers, duties, authorities, and responsibilities provided by  
13 Chapter 52, Water Code, except the authority to issue bonds and  
14 levy taxes under Subchapters G and H, Chapter 52, Water Code.

15 SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date  
16 of this Act, the following persons are designated as temporary  
17 directors of the district:

- 18 (1) Oren Williams
- 19 (2) Joe Grumbles, Sr.
- 20 (3) Dickie Douglas
- 21 (4) Bill Green
- 22 (5) Wayne Barrett
- 23 (6) Robert Humphrey
- 24 (7) Hugh Dublin, Jr.
- 25 (8) Roland Higginbotham, Sr.
- 26 (9) Delia Ricard <sup>3</sup>/<sub>4</sub>

1 (b) If a vacancy occurs in the office of temporary director,  
2 the remaining temporary directors shall select a person with the  
3 qualifications as provided by Section 7 of this Act.

4 (c) The temporary directors shall select from their members  
5 persons to serve as chairperson, vice-chairperson, and secretary.

6 (d) The temporary directors shall serve until their  
7 successors are elected and have qualified.

8 SECTION 7. QUALIFICATIONS OF DIRECTORS. To be qualified for  
9 election as a director, a person must be:

10 (1) a resident of the district or proposed district;

11 (2) at least 18 years of age; and

12 (3) not otherwise disqualified by Section 50.026, Water  
13 Code.

14 SECTION 8. COMPOSITION OF BOARD. The board of the district  
15 is composed of nine members.

16 SECTION 9. ELECTION OF DIRECTORS. Beginning in the second  
17 year following the creation election, an election shall be held on  
18 the third Saturday in May every two years to elect the appropriate  
19 number of directors to the board.

20 SECTION 10. TERM OF OFFICE. (a) Except for the initial  
21 directors of the district, directors shall serve four-year terms of  
22 office.

23 (b) The five initial directors receiving the highest number  
24 of votes at the confirmation election shall serve as directors  
25 until the five persons elected at the second regular directors'  
26 election have qualified, and the other four initial directors shall  
27 serve until the four persons elected at the first regular

1 directors' election have qualified. After the second regular  
2 directors' election, four directors shall be elected at one  
3 election and five at the next election in continuing sequence.

4 SECTION 11. CREATION ELECTION. (a) Not later than the 60th  
5 day after the effective date of this Act, the temporary directors  
6 shall meet and shall call an election to be held not later than the  
7 120th day after the effective date of this Act within the  
8 boundaries of the proposed district to approve the creation of the  
9 district.

10 *Subsection (a),*  
11 (b) <sup>1</sup> Section 41.001(a), Election Code, does not apply to an  
election called under this section.

12 (c) The propositions to be voted on shall include the  
13 question of whether the establishment of the district is confirmed  
14 and the election of the board.

15 (d) The temporary directors shall publish notice of the  
16 election two times in one or more newspapers of general circulation  
17 within the boundaries of the proposed district. The notice must be  
18 published not later than the 30th day and the 10th day preceding  
19 the date of the election.

20 (e) Returns of the election shall be made to the temporary  
21 directors who shall canvass the returns and declare the results of  
22 the election.

23 (f) If the creation of the district is defeated, all of the  
24 propositions relating to the district are defeated and another  
25 election may not be called and held during the 12-month period  
26 immediately following the date on which the most recent election on  
27 the proposition or propositions was held. If the district is not

1 created within five years after the effective date of this Act,  
2 this Act expires.

3 (g) Except as specifically provided by this section, an  
4 election under this Act is governed by the Election Code.

5 SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district  
6 may prohibit the pumping or use of groundwater if the district  
7 determines that the pumping would present an unreasonable risk of  
8 pollution.

9 (b) The district may limit the pumping of groundwater to  
10 uses determined by the board to benefit the district.

11 (c) The district may require persons holding a permit for an  
12 injection well to purchase water from the district.

13 (d) The district may adopt regulations for the disposal of  
14 salt dome leachate in the district or may require disposal of salt  
15 dome leachate outside the district.

16 SECTION 13. QUORUM. (a) A majority of the members of the  
17 board constitutes a quorum, and all regular directors have a vote.

18 (b) The district shall act and proceed by resolution adopted  
19 by the board, and an affirmative vote of a majority of the board is  
20 necessary to adopt any resolution.

21 SECTION 14. NOTICE OF MEETINGS. The board must publish  
22 notice in a newspaper of general circulation in the district not  
23 later than the fifth day before the date the board is scheduled to  
24 meet. <sup>6</sup>7

25 SECTION 15. WELL FEE. (a) The district shall impose a fee  
26 on each water well at the time a permit is first issued and the  
27 district may impose an annual fee on each well.

1 (b) The amount of a well fee imposed by the district must be  
2 set according to:

3 (1) the size of the column pipe used in the water well;

4 (2) the production capacity of the well; or

5 (3) the amount of water produced.

6 (c) The board shall adopt rules relating to the rates for  
7 the fee.

8 (d) The district may adopt rules classifying the types of  
9 uses made of groundwater in the district and may use the  
10 classifications to determine, in part, the amount of fees to be  
11 imposed under this section.

12 (e) The money collected from fees may be used by the  
13 district to manage and operate the district.

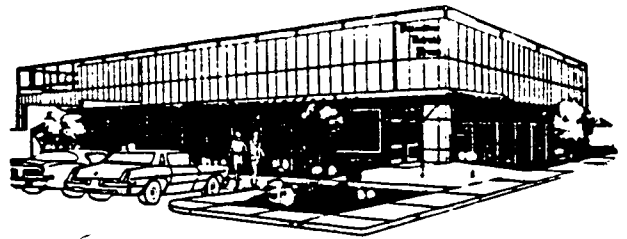
14 SECTION 16. DISSOLUTION OF DISTRICT. The district may be  
15 dissolved as provided by Subchapter P, Chapter 51, Water Code.

16 SECTION 17. NOTICE, ETC. The legislature finds that proper  
17 and legal notice of the intention to introduce this Act, setting  
18 forth the general substance of this Act, has been published as  
19 provided by law, and the notice and a copy of this Act have been  
20 furnished to all persons, agencies, officials, or entities to which  
21 they are required to be furnished by the constitution and laws of  
22 this state, including the governor of Texas, who has submitted the  
23 notice and Act to the Texas Water Commission. Also, the  
24 legislature finds that the Texas Water Commission has filed its  
25 recommendations relating to this Act with the governor, lieutenant  
26 governor, and speaker of the house of representatives, within the  
27 required time. All requirements of the constitution and laws of

1 this state and the rules and procedures of the legislature with  
2 respect to the notice, introduction, and passage of this Act have  
3 been fulfilled and accomplished.

4 SECTION 18. EMERGENCY. The importance of this legislation  
5 and the crowded condition of the calendars in both houses create an  
6 emergency and an imperative public necessity that the  
7 constitutional rule requiring bills to be read on three several  
8 days in each house be suspended, and this rule is hereby suspended,  
9 and that this Act take effect and be in force from and after its  
10 passage, and it is so enacted.





**Palestine Herald-Press**  
and midweek **EXTRA**

**AFFIDAVIT OF PUBLICATION**

**THE STATE OF TEXAS**  
**COUNTY OF ANDERSON**

BEFORE ME the undersigned authority, on this day personally appeared PAT NELSON who, after being duly sworn by me, says upon her oath the following:

- 1) THAT she is an employee of the Palestine Herald-Press, a newspaper published in Anderson County, Texas.
- 2) THAT a true copy of the attached Legal Notice was published in said paper on the following dates:

April 11, 1987

and that attached hereto is a printed copy of said document as published.

- 3) THAT said newspaper has been in general circulation for at least one year prior to publication of said document and in every aspect answers the requirements of the law applicable to newspapers which are employed to publish Legal Notices.

Pat Nelson

SWORN TO AND SUBSCRIBED before me on this the 14 day of April, 1987.

This is to give notice of the intent to introduce in the 79th Legislature, Regular Session, a bill regarding the creation, organization, operation and financing of an underground water conservation district to be located in Anderson County.

Sandra Lane

Notary Public  
Anderson County, Texas

By: Blake S.B. No. 1518  
(In the Senate - Filed May 13, 1987; May 13, 1987, read first  
time and referred to Committee on Natural Resources; May 14, 1987,  
reported favorably by the following vote: Yeas 6, Nays 0;  
May 14, 1987, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Santiesteban	x			
Montford				x
Armbrister	x			
Brown	x			
Lyon				x
Sarpalius				x
Sims	x			
Tejeda				x
Uribe	x			
Whitmire				x
Zaffirini	x			

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authority of Article XVI, Section 59, of the Texas Constitution.

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the area contained within the following described area:

BEGINNING at the intersection of the center line of U. S.  
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of U. S. Highway No. 287 to the intersection of the center line of  
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THENCE in a Westerly direction with the South line of the  
Peter Hinds Survey, A - 368, the North line of the Taylor S. Barnes  
Survey, A - 6, to the Southwest corner of the Peter Hinds Survey,  
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A - 6, in the East line of the William Kimbro Survey, A - 34.

THENCE in a Southerly direction with the East line of the  
William Kimbro Survey, A - 34, and the West line of the Taylor S.  
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THENCE in a Westerly direction with the division line of the William Kimbro Survey, A - 34, to the Southwest corner of said North half in the West line of the William Kimbro Survey, A - 34, and the East line of the George Hanks Survey, A - 369.

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SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL POWERS AND DUTIES. Except to the extent of any conflict with this Act or as specifically limited by this Act, the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, authorities, and responsibilities provided by Chapter 52, Water Code, except the authority to issue bonds and levy taxes under Subchapters G and H, Chapter 52, Water Code.

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(b) If a vacancy occurs in the office of temporary director, the remaining temporary directors shall select a person with the qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their successors are elected and have qualified.

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- (3) not otherwise disqualified by Section 50.026, Water Code.

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SECTION 9. ELECTION OF DIRECTORS. Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every two years to elect the appropriate number of directors to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve four-year terms of office.

(b) The five initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the five persons elected at the second regular directors' election have qualified, and the other four initial directors shall serve until the four persons elected at the first regular directors' election have qualified. After the second regular directors' election, four directors shall be elected at one election and five at the next election in continuing sequence.

SECTION 11. CREATION ELECTION. (a) Not later than the 60th day after the effective date of this Act, the temporary directors shall meet and shall call an election to be held not later than the 120th day after the effective date of this Act within the boundaries of the proposed district to approve the creation of the district.

(b) Subsection (a), Section 41.001, Election Code, does not apply to an election called under this section.

(c) The propositions to be voted on shall include the question of whether the establishment of the district is confirmed and the election of the board.

(d) The temporary directors shall publish notice of the election two times in one or more newspapers of general circulation within the boundaries of the proposed district. The notice must be published not later than the 30th day and the 10th day preceding the date of the election.

(e) Returns of the election shall be made to the temporary directors who shall canvass the returns and declare the results of the election.

(f) If the creation of the district is defeated, all of the propositions relating to the district are defeated and another election may not be called and held during the 12-month period immediately following the date on which the most recent election on the proposition or propositions was held. If the district is not created within five years after the effective date of this Act, this Act expires.

(g) Except as specifically provided by this section, an election under this Act is governed by the Election Code.

SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district may prohibit the pumping or use of groundwater if the district determines that the pumping would present an unreasonable risk of pollution.

(b) The district may limit the pumping of groundwater to uses determined by the board to benefit the district.

(c) The district may require persons holding a permit for an injection well to purchase water from the district.

(d) The district may adopt regulations for the disposal of salt dome leachate in the district or may require disposal of salt dome leachate outside the district.

SECTION 13. QUORUM. (a) A majority of the members of the board constitutes a quorum, and all regular directors have a vote.

(b) The district shall act and proceed by resolution adopted by the board, and an affirmative vote of a majority of the board is necessary to adopt any resolution.

SECTION 14. NOTICE OF MEETINGS. The board must publish notice in a newspaper of general circulation in the district not later than the fifth day before the date the board is scheduled to meet.

SECTION 15. WELL FEE. (a) The district shall impose a fee on each water well at the time a permit is first issued and the district may impose an annual fee on each well.

(b) The amount of a well fee imposed by the district must be set according to:

- (1) the size of the column pipe used in the water well;
- (2) the production capacity of the well; or
- (3) the amount of water produced.

(c) The board shall adopt rules relating to the rates for the fee.

(d) The district may adopt rules classifying the types of uses made of groundwater in the district and may use the classifications to determine, in part, the amount of fees to be imposed under this section.

(e) The money collected from fees may be used by the district to manage and operate the district.

SECTION 16. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter P, Chapter 51, Water Code.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

S.B. No. 1518

\* \* \* \* \*

Santiesteban, Chairman

# SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby  
President of the Senate

14  
5/13 3:00  
(date)/(time)

Sir:

We, your Committee on NATURAL RESOURCES to which was referred  
SB 1518 by Blake have on 5/13, 19 87, had the same  
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

- ☒ do pass and be printed  
☐ do pass and be ordered not printed  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure Blake

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Santiesteban, Chairman	<input checked="" type="checkbox"/>			
Montford, Vice Chairman				<input checked="" type="checkbox"/>
Armbrister	<input checked="" type="checkbox"/>			
Brown	<input checked="" type="checkbox"/>			
Lyon				<input checked="" type="checkbox"/>
Sarpalius				<input checked="" type="checkbox"/>
Sims	<input checked="" type="checkbox"/>			
Tejeda				<input checked="" type="checkbox"/>
Uribe	<input checked="" type="checkbox"/>			
Whitmire	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Zaffirini				
TOTAL VOTES	<u>6</u>	<u>0</u>	<u>0</u>	<u>5</u>

[Signature]  
COMMITTEE CLERK

[Signature]  
CHAIRMAN

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman  
Committee on Natural Resources  
Senate Chamber  
Austin, Texas

In Re: Senate Bill No. 1518  
By: Blake

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL

May 15 1987 Engrossed  
Patsy Spaw  
Engrossing Clerk

MAY 15 PM 3:03

I certify that the attached is a true and correct  
copy of SB 1518 which was  
received from the Senate on MAY 15 1987 and  
referred to the Committee on Environmental Affairs  
Dorothy M. [Signature]  
Chief Clerk of the House

By: Blake

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(Johnson of Anderson) A BILL TO BE ENTITLED

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152  
S.B. No. 1518

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2 the remaining temporary directors shall select a person with the  
3 qualifications as provided by Section 7 of this Act.

4 (c) The temporary directors shall select from their members  
5 persons to serve as chairperson, vice-chairperson, and secretary.

6 (d) The temporary directors shall serve until their  
7 successors are elected and have qualified.

8 SECTION 7. QUALIFICATIONS OF DIRECTORS. To be qualified for  
9 election as a director, a person must be:

10 (1) a resident of the district or proposed district;

11 (2) at least 18 years of age; and

12 (3) not otherwise disqualified by Section 50.026, Water  
13 Code.

14 SECTION 8. COMPOSITION OF BOARD. The board of the district  
15 is composed of nine members.

16 SECTION 9. ELECTION OF DIRECTORS. Beginning in the second  
17 year following the creation election, an election shall be held on  
18 the third Saturday in May every two years to elect the appropriate  
19 number of directors to the board.

20 SECTION 10. TERM OF OFFICE. (a) Except for the initial  
21 directors of the district, directors shall serve four-year terms of  
22 office.

23 (b) The five initial directors receiving the highest number  
24 of votes at the confirmation election shall serve as directors  
25 until the five persons elected at the second regular directors'  
26 election have qualified, and the other four initial directors shall

1 serve until the four persons elected at the first regular  
2 directors' election have qualified. After the second regular  
3 directors' election, four directors shall be elected at one  
4 election and five at the next election in continuing sequence.

5 SECTION 11. CREATION ELECTION. (a) Not later than the 60th  
6 day after the effective date of this Act, the temporary directors  
7 shall meet and shall call an election to be held not later than the  
8 120th day after the effective date of this Act within the  
9 boundaries of the proposed district to approve the creation of the  
10 district.

11 (b) Subsection (a), Section 41.001, Election Code, does not  
12 apply to an election called under this section.

13 (c) The propositions to be voted on shall include the  
14 question of whether the establishment of the district is confirmed  
15 and the election of the board.

16 (d) The temporary directors shall publish notice of the  
17 election two times in one or more newspapers of general circulation  
18 within the boundaries of the proposed district. The notice must be  
19 published not later than the 30th day and the 10th day preceding  
20 the date of the election.

21 (e) Returns of the election shall be made to the temporary  
22 directors who shall canvass the returns and declare the results of  
23 the election.

24 (f) If the creation of the district is defeated, all of the  
25 propositions relating to the district are defeated and another  
26 election may not be called and held during the 12-month period

1 immediately following the date on which the most recent election on  
2 the proposition or propositions was held. If the district is not  
3 created within five years after the effective date of this Act,  
4 this Act expires.

5 (g) Except as specifically provided by this section, an  
6 election under this Act is governed by the Election Code.

7 SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district  
8 may prohibit the pumping or use of groundwater if the district  
9 determines that the pumping would present an unreasonable risk of  
10 pollution.

11 (b) The district may limit the pumping of groundwater to  
12 uses determined by the board to benefit the district.

13 (c) The district may require persons holding a permit for an  
14 injection well to purchase water from the district.

15 (d) The district may adopt regulations for the disposal of  
16 salt dome leachate in the district or may require disposal of salt  
17 dome leachate outside the district.

18 SECTION 13. QUORUM. (a) A majority of the members of the  
19 board constitutes a quorum, and all regular directors have a vote.

20 (b) The district shall act and proceed by resolution adopted  
21 by the board, and an affirmative vote of a majority of the board is  
22 necessary to adopt any resolution.

23 SECTION 14. NOTICE OF MEETINGS. The board must publish  
24 notice in a newspaper of general circulation in the district not  
25 later than the fifth day before the date the board is scheduled to  
26 meet.

1           SECTION 15. WELL FEE. (a) The district shall impose a fee  
2 on each water well at the time a permit is first issued and the  
3 district may impose an annual fee on each well.

4           (b) The amount of a well fee imposed by the district must be  
5 set according to:

6           (1) the size of the column pipe used in the water well;

7           (2) the production capacity of the well; or

8           (3) the amount of water produced.

9           (c) The board shall adopt rules relating to the rates for  
10 the fee.

11           (d) The district may adopt rules classifying the types of  
12 uses made of groundwater in the district and may use the  
13 classifications to determine, in part, the amount of fees to be  
14 imposed under this section.

15           (e) The money collected from fees may be used by the  
16 district to manage and operate the district.

17           SECTION 16. DISSOLUTION OF DISTRICT. The district may be  
18 dissolved as provided by Subchapter P, Chapter 51, Water Code.

19           SECTION 17. NOTICE, ETC. The legislature finds that proper  
20 and legal notice of the intention to introduce this Act, setting  
21 forth the general substance of this Act, has been published as  
22 provided by law, and the notice and a copy of this Act have been  
23 furnished to all persons, agencies, officials, or entities to which  
24 they are required to be furnished by the constitution and laws of  
25 this state, including the Governor of Texas, who has submitted the  
26 notice and Act to the Texas Water Commission. Also, the

1 legislature finds that the Texas Water Commission has filed its  
2 recommendations relating to this Act with the governor, lieutenant  
3 governor, and speaker of the house of representatives, within the  
4 required time. All requirements of the constitution and laws of  
5 this state and the rules and procedures of the legislature with  
6 respect to the notice, introduction, and passage of this Act have  
7 been fulfilled and accomplished.

8 SECTION 18. EMERGENCY. The importance of this legislation  
9 and the crowded condition of the calendars in both houses create an  
10 emergency and an imperative public necessity that the  
11 constitutional rule requiring bills to be read on three several  
12 days in each house be suspended, and this rule is hereby suspended,  
13 and that this Act take effect and be in force from and after its  
14 passage, and it is so enacted.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman  
Committee on Natural Resources  
Senate Chamber  
Austin, Texas

In Re: Senate Bill No. 1518  
By: Blake

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL



# HOUSE COMMITTEE REPORT

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By: Blake

S.B. No. 1518

(Johnson of Anderson) A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation, administration, powers, duties,  
3 operations, fiscal procedures, and annexation authority of the  
4 Anderson County Underground Water Conservation District.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. DEFINITIONS. In this Act:

7 (1) "District" means the Anderson County Underground Water  
8 Conservation District.

9 (2) "Board" means the district's board of directors.

10 SECTION 2. CREATION OF DISTRICT. Subject to approval at an  
11 election required by Section 11 of this Act, the Anderson County  
12 Underground Water Conservation District is created under the  
13 authority of Article XVI, Section 59, of the Texas Constitution.

14 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds  
15 that:

16 (1) the creation of the district is feasible and  
17 practicable;

18 (2) the district will be a benefit to the land contained  
19 within the boundaries of the district;

20 (3) there is a public necessity for the district; and

21 (4) the district will provide a benefit and utility to the  
22 public.

23 SECTION 4. BOUNDARIES. The district shall include all of  
24 the area contained within the following described area:

25 BEGINNING at the intersection of the center line of U. S.

112  
S.B. No. 1518

1 Highway No. 287 with the center line of State Highway No. 19.

2       THENCE in a Northwesterly direction following the center line  
3 of U. S. Highway No. 287 to the intersection of the center line of  
4 F. M. Road No. 321.

5       THENCE in a Northeasterly direction following the center line  
6 of F. M. Road No. 321 to the intersection of the center line of  
7 State Highway No. 19.

8       THENCE in an Easterly direction continuing with the center  
9 line of F. M. Road No. 321 to the intersection of the center line  
10 of F. M. Road No. 315.

11       THENCE in a Southerly direction following the center line of  
12 F. M. Road No. 315 to the intersection of the North line of the  
13 Taylor S. Barnes Survey, A - 6, and the South line of the Peter  
14 Hinds Survey, A - 368.

15       THENCE in a Westerly direction with the South line of the  
16 Peter Hinds Survey, A - 368, the North line of the Taylor S. Barnes  
17 Survey, A - 6, to the Southwest corner of the Peter Hinds Survey,  
18 A - 368, and the Northwest corner of the Taylor S. Barnes Survey,  
19 A - 6, in the East line of the William Kimbro Survey, A - 34.

20       THENCE in a Southerly direction with the East line of the  
21 William Kimbro Survey, A - 34, and the West line of the Taylor S.  
22 Barnes Survey, A - 6, to the Southeast corner of the North half of  
23 the William Kimbro Survey, A - 34, as partitioned in Volume E, page  
24 525 of the Deed Records of Anderson County, Texas.

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5 Kimbro Survey, A - 34, to the center line of State Highway No. 19.

6 THENCE in a Southeasterly direction following the center line  
7 of State Highway No. 19 to the place of beginning.

8 SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL  
9 POWERS AND DUTIES. Except to the extent of any conflict with this  
10 Act or as specifically limited by this Act, the district is  
11 governed by and subject to Chapter 52, Water Code, and has all the  
12 powers, duties, authorities, and responsibilities provided by  
13 Chapter 52, Water Code, except the authority to issue bonds and  
14 levy taxes under Subchapters G and H, Chapter 52, Water Code.

15 SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date  
16 of this Act, the following persons are designated as temporary  
17 directors of the district:

- 18 (1) Oren Williams
- 19 (2) Joe Grumbles, Sr.
- 20 (3) Dickie Douglas
- 21 (4) Bill Green
- 22 (5) Wayne Barrett
- 23 (6) Robert Humphrey
- 24 (7) Hugh Dublin, Jr.
- 25 (8) Roland Higginbotham, Sr.
- 26 (9) Delia Ricard

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2 the remaining temporary directors shall select a person with the  
3 qualifications as provided by Section 7 of this Act.

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5 persons to serve as chairperson, vice-chairperson, and secretary.

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24 of votes at the confirmation election shall serve as directors  
25 until the five persons elected at the second regular directors'  
26 election have qualified, and the other four initial directors shall

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3 directors' election, four directors shall be elected at one  
4 election and five at the next election in continuing sequence.

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6 day after the effective date of this Act, the temporary directors  
7 shall meet and shall call an election to be held not later than the  
8 120th day after the effective date of this Act within the  
9 boundaries of the proposed district to approve the creation of the  
10 district.

11 (b) Subsection (a), Section 41.001, Election Code, does not  
12 apply to an election called under this section.

13 (c) The propositions to be voted on shall include the  
14 question of whether the establishment of the district is confirmed  
15 and the election of the board.

16 (d) The temporary directors shall publish notice of the  
17 election two times in one or more newspapers of general circulation  
18 within the boundaries of the proposed district. The notice must be  
19 published not later than the 30th day and the 10th day preceding  
20 the date of the election.

21 (e) Returns of the election shall be made to the temporary  
22 directors who shall canvass the returns and declare the results of  
23 the election.

24 (f) If the creation of the district is defeated, all of the  
25 propositions relating to the district are defeated and another  
26 election may not be called and held during the 12-month period

1 immediately following the date on which the most recent election on  
2 the proposition or propositions was held. If the district is not  
3 created within five years after the effective date of this Act,  
4 this Act expires.

5 (g) Except as specifically provided by this section, an  
6 election under this Act is governed by the Election Code.

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8 may prohibit the pumping or use of groundwater if the district  
9 determines that the pumping would present an unreasonable risk of  
10 pollution.

11 (b) The district may limit the pumping of groundwater to  
12 uses determined by the board to benefit the district.

13 (c) The district may require persons holding a permit for an  
14 injection well to purchase water from the district.

15 (d) The district may adopt regulations for the disposal of  
16 salt dome leachate in the district or may require disposal of salt  
17 dome leachate outside the district.

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19 board constitutes a quorum, and all regular directors have a vote.

20 (b) The district shall act and proceed by resolution adopted  
21 by the board, and an affirmative vote of a majority of the board is  
22 necessary to adopt any resolution.

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24 notice in a newspaper of general circulation in the district not  
25 later than the fifth day before the date the board is scheduled to  
26 meet.

1           SECTION 15. WELL FEE. (a) The district shall impose a fee  
2 on each water well at the time a permit is first issued and the  
3 district may impose an annual fee on each well.

4           (b) The amount of a well fee imposed by the district must be  
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6           (1) the size of the column pipe used in the water well;

7           (2) the production capacity of the well; or

8           (3) the amount of water produced.

9           (c) The board shall adopt rules relating to the rates for  
10 the fee.

11          (d) The district may adopt rules classifying the types of  
12 uses made of groundwater in the district and may use the  
13 classifications to determine, in part, the amount of fees to be  
14 imposed under this section.

15          (e) The money collected from fees may be used by the  
16 district to manage and operate the district.

17          SECTION 16. DISSOLUTION OF DISTRICT. The district may be  
18 dissolved as provided by Subchapter P, Chapter 51, Water Code.

19          SECTION 17. NOTICE, ETC. The legislature finds that proper  
20 and legal notice of the intention to introduce this Act, setting  
21 forth the general substance of this Act, has been published as  
22 provided by law, and the notice and a copy of this Act have been  
23 furnished to all persons, agencies, officials, or entities to which  
24 they are required to be furnished by the constitution and laws of  
25 this state, including the Governor of Texas, who has submitted the  
26 notice and Act to the Texas Water Commission. Also, the

1 legislature finds that the Texas Water Commission has filed its  
2 recommendations relating to this Act with the governor, lieutenant  
3 governor, and speaker of the house of representatives, within the  
4 required time. All requirements of the constitution and laws of  
5 this state and the rules and procedures of the legislature with  
6 respect to the notice, introduction, and passage of this Act have  
7 been fulfilled and accomplished.

8 SECTION 18. EMERGENCY. The importance of this legislation  
9 and the crowded condition of the calendars in both houses create an  
10 emergency and an imperative public necessity that the  
11 constitutional rule requiring bills to be read on three several  
12 days in each house be suspended, and this rule is hereby suspended,  
13 and that this Act take effect and be in force from and after its  
14 passage, and it is so enacted.



COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

15 MAY, 1987  
(date)

Sir:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS,

to whom was referred SB 1518 have had the same under consideration and beg to report  
(measure)  
back with the recommendation that it

- ☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☐ yes ☒ no An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☒ yes ☐ no

The Committee recommends that this measure be placed on the ~~(Local)~~ or ~~(Consent)~~ Calendar.

This measure ☒ proposes new law. ☐ amends existing law.

House Sponsor of Senate Measure C. Johnson

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Saunders, Ch.	✓			
Watson, V.C.				✓
McKinney, C.B.O.				✓
Agnich				✓
Hightower	✓			
Kuempel	✓			
Oakley	✓			
Staniswalis	✓			
Valigura	✓			

Total  
6 aye  
0 nay  
0 present, not voting  
3 absent

[Signature]  
CHAIRMAN  
[Signature]  
COMMITTEE COORDINATOR  
1

COMMITTEE ON ENVIRONMENTAL AFFAIRS

BILL ANALYSIS

By: Blake

S.B. 1518

BACKGROUND:

This bill provides for the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

PURPOSE:

As proposed, S.B. 1518 creates the Anderson County Underground Water Conservation District.

RULEMAKING AUTHORITY:

It is the committee's opinion that rulemaking authority is granted to the Anderson County Underground Water Conservation District under Sections 12 and 15 of this bill.

SECTION BY SECTION ANALYSIS:

SECTION 1. Defines "district" and "board."

SECTION 2. Creates the Anderson County Underground Water Conservation District (district).

SECTION 3. Provides the findings of the legislature.

SECTION 4. Sets forth the boundaries of the district.

SECTION 5. Provides that the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, and authorities as provided by that chapter, except the authority to issue bonds and levy taxes under Subchapters G and H.

SECTION 6. (a) Designates the temporary directors of the district. (b) Provides for a vacancy in the office of temporary director. (c) Requires the selection of officers from among the temporary directors. (d) Provides the term of office for temporary directors.

SECTION 7. Sets forth the qualifications of directors.

SECTION 8. Provides that the district board is composed of nine members.

SECTION 9. Requires an election every two years for directors.

SECTION 10. (a) Requires directors to serve four-year terms, with exceptions. (b) Provides terms for initial directors.

SECTION 11. Provides for a creation election.

SECTION 12. Sets forth additional rights and powers of the district.

SECTION 13. Provides for a quorum.

SECTION 14. Requires notice of meetings to be published.

SECTION 15. (a) Requires a permit fee and an annual fee for each water well. (b) Requires the amount of a well fee to be based on certain conditions. (c) Requires the board to adopt rules relating to fee rates. (d) Allows the district to adopt rules classifying the types of uses made of groundwater and to use such classifications to determine fees. (e) Allows the district to use money collected from fees for management and operation expenses.

SECTION 16. Allows the district to be dissolved as provided by Subchapter F, Chapter 51, Water Code.

SECTION 17. Provides the findings of the legislature concerning the publishing of proper and legal notice of the intention to introduce this Act.

SECTION 18. Emergency clause.  
Effective date. Upon passage.

SUMMARY OF COMMITTEE ACTIVITY

Pursuant to an announcement read on the House floor in accordance with House rules, the Committee on Environmental Affairs met in a formal meeting on May 15, 1987. The Chair laid out SB 1518. Representative Hightower moved to report SB 1518 to the House with the recommendation that it do pass. The motion passed by a record vote of 6 Ayes, 0 Nays, 0 PNV, and 3 Absent.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman  
Committee on Natural Resources  
Senate Chamber  
Austin, Texas

In Re: Senate Bill No. 1518  
By: Blake

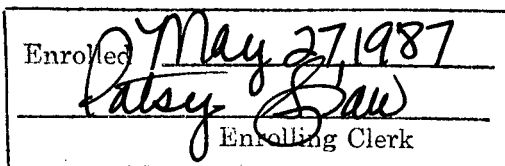
FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL



S.B. No. 1518

AN ACT

relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Anderson County Underground Water Conservation District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT. Subject to approval at an election required by Section 11 of this Act, the Anderson County Underground Water Conservation District is created under the authority of Article XVI, Section 59, of the Texas Constitution.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

(2) the district will be a benefit to the land contained within the boundaries of the district;

(3) there is a public necessity for the district; and

(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the area contained within the following described area:

BEGINNING at the intersection of the center line of U. S.

S.B. No. 1518

1 Highway No. 287 with the center line of State Highway No. 19.

2 THENCE in a Northwesterly direction following the center line  
3 of U. S. Highway No. 287 to the intersection of the center line of  
4 F. M. Road No. 321.

5 THENCE in a Northeasterly direction following the center line  
6 of F. M. Road No. 321 to the intersection of the center line of  
7 State Highway No. 19.

8 THENCE in an Easterly direction continuing with the center  
9 line of F. M. Road No. 321 to the intersection of the center line  
10 of F. M. Road No. 315.

11 THENCE in a Southerly direction following the center line of  
12 F. M. Road No. 315 to the intersection of the North line of the  
13 Taylor S. Barnes Survey, A - 6, and the South line of the Peter  
14 Hinds Survey, A - 368.

15 THENCE in a Westerly direction with the South line of the  
16 Peter Hinds Survey, A - 368, the North line of the Taylor S. Barnes  
17 Survey, A - 6, to the Southwest corner of the Peter Hinds Survey,  
18 A - 368, and the Northwest corner of the Taylor S. Barnes Survey,  
19 A - 6, in the East line of the William Kimbro Survey, A - 34.

20 THENCE in a Southerly direction with the East line of the  
21 William Kimbro Survey, A - 34, and the West line of the Taylor S.  
22 Barnes Survey, A - 6, to the Southeast corner of the North half of  
23 the William Kimbro Survey, A - 34, as partitioned in Volume E, page  
24 525 of the Deed Records of Anderson County, Texas.

25 THENCE in a Westerly direction with the division line of the  
26 William Kimbro Survey, A - 34, to the Southwest corner of said

1 North half in the West line of the William Kimbro Survey, A - 34,  
2 and the East line of the George Hanks Survey, A - 369.

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6 THENCE in a Southeasterly direction following the center line  
7 of State Highway No. 19 to the place of beginning.

8 SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL  
9 POWERS AND DUTIES. Except to the extent of any conflict with this  
10 Act or as specifically limited by this Act, the district is  
11 governed by and subject to Chapter 52, Water Code, and has all the  
12 powers, duties, authorities, and responsibilities provided by  
13 Chapter 52, Water Code, except the authority to issue bonds and  
14 levy taxes under Subchapters G and H, Chapter 52, Water Code.

15 SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date  
16 of this Act, the following persons are designated as temporary  
17 directors of the district:

- 18 (1) Oren Williams
- 19 (2) Joe Grumbles, Sr.
- 20 (3) Dickie Douglas
- 21 (4) Bill Green
- 22 (5) Wayne Barrett
- 23 (6) Robert Humphrey
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- 25 (8) Roland Higginbotham, Sr.
- 26 (9) Delia Ricard

1 (b) If a vacancy occurs in the office of temporary director,  
2 the remaining temporary directors shall select a person with the  
3 qualifications as provided by Section 7 of this Act.

4 (c) The temporary directors shall select from their members  
5 persons to serve as chairperson, vice-chairperson, and secretary.

6 (d) The temporary directors shall serve until their  
7 successors are elected and have qualified.

8 SECTION 7. QUALIFICATIONS OF DIRECTORS. To be qualified for  
9 election as a director, a person must be:

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15 is composed of nine members.

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19 number of directors to the board.

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21 directors of the district, directors shall serve four-year terms of  
22 office.

23 (b) The five initial directors receiving the highest number  
24 of votes at the confirmation election shall serve as directors  
25 until the five persons elected at the second regular directors'  
26 election have qualified, and the other four initial directors shall



1 serve until the four persons elected at the first regular  
2 directors' election have qualified. After the second regular  
3 directors' election, four directors shall be elected at one  
4 election and five at the next election in continuing sequence.

5 SECTION 11. CREATION ELECTION. (a) Not later than the 60th  
6 day after the effective date of this Act, the temporary directors  
7 shall meet and shall call an election to be held not later than the  
8 120th day after the effective date of this Act within the  
9 boundaries of the proposed district to approve the creation of the  
10 district.

11 (b) Subsection (a), Section 41.001, Election Code, does not  
12 apply to an election called under this section.

13 (c) The propositions to be voted on shall include the  
14 question of whether the establishment of the district is confirmed  
15 and the election of the board.

16 (d) The temporary directors shall publish notice of the  
17 election two times in one or more newspapers of general circulation  
18 within the boundaries of the proposed district. The notice must be  
19 published not later than the 30th day and the 10th day preceding  
20 the date of the election.

21 (e) Returns of the election shall be made to the temporary  
22 directors who shall canvass the returns and declare the results of  
23 the election.

24 (f) If the creation of the district is defeated, all of the  
25 propositions relating to the district are defeated and another  
26 election may not be called and held during the 12-month period

1 immediately following the date on which the most recent election on  
2 the proposition or propositions was held. If the district is not  
3 created within five years after the effective date of this Act,  
4 this Act expires.

5 (g) Except as specifically provided by this section, an  
6 election under this Act is governed by the Election Code.

7 SECTION 12. ADDITIONAL RIGHTS AND POWERS. (a) The district  
8 may prohibit the pumping or use of groundwater if the district  
9 determines that the pumping would present an unreasonable risk of  
10 pollution.

11 (b) The district may limit the pumping of groundwater to  
12 uses determined by the board to benefit the district.

13 (c) The district may require persons holding a permit for an  
14 injection well to purchase water from the district.

15 (d) The district may adopt regulations for the disposal of  
16 salt dome leachate in the district or may require disposal of salt  
17 dome leachate outside the district.

18 SECTION 13. QUORUM. (a) A majority of the members of the  
19 board constitutes a quorum, and all regular directors have a vote.

20 (b) The district shall act and proceed by resolution adopted  
21 by the board, and an affirmative vote of a majority of the board is  
22 necessary to adopt any resolution.

23 SECTION 14. NOTICE OF MEETINGS. The board must publish  
24 notice in a newspaper of general circulation in the district not  
25 later than the fifth day before the date the board is scheduled to  
26 meet.

1           SECTION 15. WELL FEE. (a) The district shall impose a fee  
2 on each water well at the time a permit is first issued and the  
3 district may impose an annual fee on each well.

4           (b) The amount of a well fee imposed by the district must be  
5 set according to:

- 6           (1) the size of the column pipe used in the water well;  
7           (2) the production capacity of the well; or  
8           (3) the amount of water produced.

9           (c) The board shall adopt rules relating to the rates for  
10 the fee.

11           (d) The district may adopt rules classifying the types of  
12 uses made of groundwater in the district and may use the  
13 classifications to determine, in part, the amount of fees to be  
14 imposed under this section.

15           (e) The money collected from fees may be used by the  
16 district to manage and operate the district.

17           SECTION 16. DISSOLUTION OF DISTRICT. The district may be  
18 dissolved as provided by Subchapter P, Chapter 51, Water Code.

19           SECTION 17. NOTICE, ETC. The legislature finds that proper  
20 and legal notice of the intention to introduce this Act, setting  
21 forth the general substance of this Act, has been published as  
22 provided by law, and the notice and a copy of this Act have been  
23 furnished to all persons, agencies, officials, or entities to which  
24 they are required to be furnished by the constitution and laws of  
25 this state, including the Governor of Texas, who has submitted the  
26 notice and Act to the Texas Water Commission. Also, the

1 legislature finds that the Texas Water Commission has filed its  
2 recommendations relating to this Act with the governor, lieutenant  
3 governor, and speaker of the house of representatives, within the  
4 required time. All requirements of the constitution and laws of  
5 this state and the rules and procedures of the legislature with  
6 respect to the notice, introduction, and passage of this Act have  
7 been fulfilled and accomplished.

8 SECTION 18. EMERGENCY. The importance of this legislation  
9 and the crowded condition of the calendars in both houses create an  
10 emergency and an imperative public necessity that the  
11 constitutional rule requiring bills to be read on three several  
12 days in each house be suspended, and this rule is hereby suspended,  
13 and that this Act take effect and be in force from and after its  
14 passage, and it is so enacted.

S.B. No. 1518

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1518 passed the Senate on May 15, 1987, by the following vote: Yeas 24, Nays 6.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1518 passed the House on May 26, 1987, by the following vote: Yeas 130, Nays 8, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

BILL ANALYSIS

By: Blake

S.B. 1518  
Enrolled

BACKGROUND:

This bill provides for the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

PURPOSE:

As proposed, S.B. 1518 creates the Anderson County Underground Water Conservation District.

RULEMAKING AUTHORITY:

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS:

SECTION 1. Defines "district" and "board."

SECTION 2. Creates the Anderson County Underground Water Conservation District (district).

SECTION 3. Provides the findings of the legislature.

SECTION 4. Sets forth the boundaries of the district.

SECTION 5. Provides that the district is governed by and subject to Chapter 52, Water Code, and has all the powers, duties, and authorities as provided by that chapter, except the authority to issue bonds and levy taxes under Subchapters G and H.

SECTION 6. (a) Designates the temporary directors of the district. (b) Provides for a vacancy in the office of temporary director. (c) Requires the selection of officers from among the temporary directors. (d) Provides the term of office for temporary directors.

SECTION 7. Sets forth the qualifications of directors.

SECTION 8. Provides that the district board is composed of nine members.

SECTION 9. Requires an election every two years for directors.

SECTION 10. (a) Requires directors to serve four-year terms, with exceptions. (b) Provides terms for initial directors.

SECTION 11. Provides for a creation election.

SECTION 12. Sets forth additional rights and powers of the district.

SECTION 13. Provides for a quorum.

SECTION 14. Requires notice of meetings to be published.

SECTION 15. (a) Requires a permit fee and an annual fee for each water well. (b) Requires the amount of a well fee to be based on certain conditions. (c) Requires the board to adopt rules relating to fee rates. (d) Allows the district to adopt rules classifying the types of uses made of groundwater and to use such classifications to determine fees. (e) Allows the district to use money collected from fees for management and operation expenses.

SECTION 16. Allows the district to be dissolved as provided by Subchapter F, Chapter 51, Water Code.

SECTION 17. Provides the findings of the legislature concerning the publishing of proper and legal notice of the intention to introduce this Act.

SECTION 18. Emergency clause.  
Effective date. Upon passage.

ALS 8.16.88

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

May 13, 1987

TO: Honorable H. Tati Santiesteban, Chairman  
Committee on Natural Resources  
Senate Chamber  
Austin, Texas

In Re: Senate Bill No. 1518  
By: Blake

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1518 (relating to the creation, administration, powers, duties, operations, fiscal procedures and annexation authority of the Anderson County Underground Water Conservation District) this office has determined the following:

No fiscal implication to the State is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the Senate as to its probable fiscal impact on units of local government.

Source: LBB Staff: JO, HES, JWH, BDT, BL



S. B. No. 1518

By Blake

AN ACT relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District.

MAY 13 1987

Filed with the Secretary of the Senate

MAY 13 1987

Read and referred to Committee on NATURAL RESOURCES

MAY 14 1987

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

MAY 15 1987

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent 24 yeas, 6 nays

MAY 15 1987

Read second time, \_\_\_\_\_, and ordered engrossed by: { unanimous consent a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays

Caption ordered amended to conform to the body of the bill.

MAY 15 1987

Senate and Constitutional 3 Day Rule suspended by a vote of 25 yeas, 5 nays.

MAY 15 1987

Read third time, \_\_\_\_\_, and passed by 24 yeas, 6 nays.

*Betty King*

SECRETARY OF THE SENATE

OTHER ACTION:

May 15, 1987

Engrossed

May 15, 1987

Sent to House

Engrossing Clerk

*Patsy Spaw*

MAY 15 1987

Received from the Senate

MAY 15 1987

Read first time and referred to Committee on Environmental Affairs

MAY 15 1987

Reported favorably amended, sent to Printer at 5:45 pm

MAY 15 1987

5-17-87

Printed and Distributed 2:13 pm

MAY 18 1987

Sent to Committee on Calendars 8:47 am

MAY 25 1987

Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present not voting.

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present not voting.

MAY 26 1987

Read third time (amended); finally passed amended by a (Non-Record Vote) Record Vote of

130 yeas, 8 nays 2 present not voting.

MAY 27 1987

Caption ordered amended to conform to body of bill.

Returned to Senate.

*Betty Murray*

CHIEF CLERK OF THE HOUSE

MAY 27 1987

Returned from House without amendment.

Returned from House with \_\_\_\_\_ amendments.

Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**Cliff Johnson**



DISTRICT 11  
ANDERSON, CHEROKEE  
FREESTONE COUNTIES

P.O. BOX 2910  
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617 E. LACY  
PALESTINE, TEXAS 75801  
(214) 729-3249

**The State of Texas  
House of Representatives  
Austin, Texas**

COMMITTEES:  
NATURAL RESOURCES  
CHAIRMAN, BUDGET & OVERSIGHT  
APPROPRIATIONS  
CALENDARS

May 15, 1987

The Honorable Robert Saunders  
Chairman, Committee on Environmental Affairs

Dear Robert:

In response to your request and pursuant to the Rules of Procedure of the House, Rule 4 Section 34 (d), the following is submitted regarding the cost implementation of Senate Bill 1518, relating to the creation, administration, powers, duties, operations, fiscal procedures, and annexation authority of the Anderson County Underground Water Conservation District. It is my best estimate that the cost will be \$0.00 per year for the first year and each year thereafter.

If you should have any further questions, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Cliff Johnson".

Cliff Johnson

5

S.B. No. 1518

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1518 (1) passed the Senate on  
May 15 (2), 1987, by the following vote:  
Yeas 24 (3), Nays 6 (4).

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1518 (1) passed the House on  
May 26 (5), 1987, by the following vote:  
Yeas 130 (6), Nays 8 (7), *two present not voting.*

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor